

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Richard L. Bulman, et al.

Date: February 25, 2002

Serial No.:

Group Art Unit:

Filed: Herewith

Examiner:

For: OBJECT CUSTOMIZATION AND PRESENTATION SYSTEM

U.S. Patent and Trademark Office
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PRELIMINARY AMENDMENT/SUBMISSION

Preliminary to the examination of the application being filed herewith, please enter this Preliminary Amendment into the application.

FEE CALCULATION

Any additional fee required has been calculated as follows:

☒ If checked, "Small Entity" status is claimed.

NO. CLAIMS AFTER AMENDMEN		HIGHEST NO. PREVIOUSLY PAID FOR		EXTRA PRESENT		RATE	ADDIT. FEE
T							
TOTAL	13	MINUS	20	* =	0	X (\$9 SE or \$18)	\$
INDEP.	9	MINUS	9	** =	0	X (\$42 SE or \$84)	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM						X (\$140 SE or \$280)	\$
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CONTINGENT EXTENSION REQUEST

If this communication is filed after the shortened statutory time period had elapsed and no separate Petition is enclosed, the Commissioner of Patents and Trademarks is petitioned, under 37 C.F.R. § 1.136(a), to extend the time for filing a response to the outstanding Office Action by the number of months which will avoid abandonment under 37 C.F.R. § 1.135. The fee under 37 C.F.R. § 1.17 should be charged to our Deposit Account No. 15-0700.

AMENDMENTS

☒ If checked, amendment(s) to the specification and/or claims are submitted herewith.

1. ☒ If checked, an abstract is submitted as the last page of Appendix A.

2. Specification:

Please delete the paragraph(s)/section(s) beginning at page 1, line 5; page 2, line 17; page 2, line 25; page 3, line 11; page 3, line 23; page 4, line 1; page 4, line 5; page 4, line 8; page 4, line 12; page 5, line 1; page 5, line 7; page 5, line 12; page 5, line 15; page 7, line 4; page 8, line 18; page 10, line 11; page 11, line 23; page 12, line 6; page 19, line 20; page 20, line 13; page 20, line 20; page 23, line 5; page 24, line 8; page 25, line 7; page 25, line 13; page 25, line 27; page 26, line 7; page 27, line 18; page 27, line 20; page 29, line 19; page 31, line 22; page 33, line 1; page 34, line 16; page 35, line 1; page 38, line 1; page 38, line 4; page 38, line 7; page 38, line 21; page 38, line 23; page 39, line 15; page 39, line 23; page 47, line 14; page 48, line 1; page 54, line 29; page 55, line 13; page 55, line 22; page 62, line 26; page 67, line 5 and page 68, line 6.,

and replace such paragraph(s)/section(s) pursuant to 37 C.F.R. § 1.121(b)(ii) with the “clean” version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(b)(iii) is attached hereto as Appendix B.

3. Claims:

Please amend claims 1, 2, 8, 9, 10, 11, 12 and 13 pursuant to 37 C.F.R. § 1.121(c)(i) as set forth in the “clean” version attached hereto as Appendix A. Entry is respectfully requested. A version with markings to show the changes made pursuant to 37 C.F.R. § 1.121(c)(ii) is attached hereto as Appendix B.

REMARKS/ARGUMENT

The present application submitted for examination is modified according to this preliminary amendment to more clearly define the subject matter of the present invention. The specification is corrected to remove typographical and syntactical errors. No new matter is added. Entry of this amendment prior to consideration on the merits is respectfully requested.

EXPRESS MAIL CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail to Addressee (mail label # EL 924389899US) in an envelope addressed to: U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on February 25, 2002

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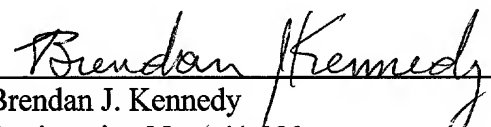
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February 25, 2002

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APPENDIX A
"CLEAN" VERSION OF EACH PARAGRAPH/SECTION/CLAIM
37 C.F.R. § 1.121(b)(ii) AND (c)(i)

SPECIFICATION:

Replacement for the paragraph at page 1, beginning at line 5:

The present application is a Continuation in part of U.S. Patent Application Ser. No. 09/300,987, filed April 28, 1999 (pending), which is a Continuation of U.S. Patent Application Ser. no. 08/840,486, filed April 21, 1997 (abandoned), which is a Continuation-in-part of U.S. Patent Application Ser. No. 08/489,564, filed June 12, 1995 (now U.S. Patent No. 5,623,587), which is a Continuation-in-part of U.S. Patent Application Ser. No. 08/138,531, filed October 15, 1993 (abandoned), each of which is expressly incorporated herein by reference. This application is based on and claims benefit of U.S. Provisional Patent Application Ser. No. 60/300,352 filed June 6, 2001, to which a claim of priority is hereby made.

Replacement for the paragraph at page 2, beginning at line 17:

Since these systems, which are often designed as set top boxes, e.g., an electronic device which is connected to a television set and which provides a signal to the television set, are intended primarily for home entertainment, application software is generally focused on this sphere. As the processing power and available resources increase, these devices are anticipated to assume other functions, including encompassing all set top box functionality, including digital video recording, computer integrated telephony, e-commerce, advertising, content browsing and Internet connectivity, in addition to the traditional gaming applications.

Replacement for the paragraph at page 2, beginning at line 25 to page 3, line 4:

While these platforms are growing in capability, to date they do not provide a high level of customization or personalization. In order to maintain low cost, rewritable memory is minimized, and, for instance, is employed only to persistently store game parameters. Thus, it is difficult to personalize the system, since it is not intended to be a general purpose computing

platform or to be easily upgradable, and does not provide user accessible persistent mass storage. This, of course, provide a substantial advantage in terms of system stability, since the manufacturer has almost complete control over the operating system and hardware. A further subtle issue is that programmers of entertainment titles must typically presume that a user has only the minimum hardware and software provided by the manufacturer, and therefore resist reliance on optional components. Thus, even if upgrades are available for the platform, developers tend not to rely on the use of hardware or software upgrades and focus instead on making the most of standard system equipment.

Replacement for the paragraph at page 3, beginning at line 11:

Various systems and methods have been proposed for producing pictures of human subjects with the head of one human being superimposed upon the body of another human being, animal, fish, etc. The superposition is normally accomplished "mechanically" by cutting around the outline of the head of a person shown in a first photograph and applying this head, in the proper position and orientation, to a body in a second photograph. The resulting "mechanical" is thereafter photographed and/or scanned electronically to produce a third photograph or electronic image. Electronic implementation of this process is also known where the head is electronically traced and superimposed. This superposition process is time consuming and requires that the head and body in the first and second photographs, respectively, be adjusted in scale photographically. That is, that either the first or second photograph is enlarged or reduced so that the head and body are of the same relative size, for example. This superposition process is only rarely used, and when used it is generally limited to situations where the cost of the process is small compared to the cost of the overall desired product.

Replacement for the paragraph at page 4, beginning at line 1:

It is known to personalize books or images, and book-on-demand publishing technologies are well established. See, U.S. Pat. Nos. 5,729,674, 4,731,743, 4,616,327, 3,982,744 and 3,892,427. U.S. Patent No. 5,625,579 provides a system for customizing prerecorded video media. A so-called digital dressing room is known, see, U.S. Pat. No. 5,680,528 wherein

garments are digitally superimposed on the body type and shape of a user, showing the user's face.

Replacement for the paragraph at page 4, beginning at line 12:

It is also known to replace a facial portion within an image with an extrinsic facial image. See, U.S. Pat. No. 5,687,306, and references cited therein. 3,398,664, 3,864,708, 4,037,249, 4,052,739, 4,130,834, 4,190, 856, 4,240,104, 4,258,385, 4,317,114, 4,357,624, 4,409,618, 4,439,783, 4,463,380, 4,506,289, 5,345,313, and 5,557,179. A montage may also be created of facial image portions. See, 5,664,690.

Replacement for the paragraph at page 5, beginning at line 1:

Known systems for accounting and payment for on-line transactions include credit and debit card transactions, direct deposit and wire transfer, Micro Payment Transfer Protocol (MPTP), Millicent (Compaq Computer Corp.), and a number of other systems. Typically, these systems seek to provide secured transactions, to ensure to some degree of reliability against the risk of non-payment.

Replacement for the paragraph at page 5, beginning at line 7:

A known system for presentation of multimedia presentations through Internet protocols is the Synchronized Multimedia Integration Language (SMIL) Boston Specification (W3C Working Draft 3-August 1999).

Replacement for the paragraph at page 5, beginning at line 12:

U.S. Pat. No. 6,029,046, to Kahn et al. relates to a system for recording set top box software, received over a broadband communications link, in local memory. Thus, it is well known to provide addressable set top boxes for selective delivery of media content and accounting therefor.

Replacement for the paragraph at page 5, beginning at line 15:

There exists a need in the art to provide a process for personalizing, using sophisticated and high quality data, video games and other content for use with a set top box, through efficient means.

Replacement for the paragraph at page 7, beginning at line 4:

According to one embodiment, the present invention provides a method and apparatus for computer-assisted image processing, as well as for the use of the resulting images. For example, an image or multimedia template is provided, which for example may include a full background presentation, which is merged upon presentation with foreground image and/or multimedia data. In a more sophisticated embodiment, the template comprises one or more models of the presentation, in which parameters are provided. External data may then be provided to supplement, modify and/or control the models. The presentation may be generated on a server and the resulting media stream sent to a client, or the template and external data merged at the client machine and presented to a user or recorded for later viewing.

Replacement for the paragraph at page 8, beginning at line 18:

In forming the customized image, a subject foreground image portion, such as a head, will be provided in electronic form to a computerized system. This subject foreground image portion will then be matched to another subject portion, which may be an external input, or selected from one or more stored other subject portions, such as human, animal, insect, alien, or "cyborg" bodies. The subject foreground image portion is then normalized in position and size, and optionally angled and 3-D orientation projected, and merged with the other subject body portion to create an anatomically appropriate entity.

Replacement for the paragraph at page 10, beginning at line 11:

The presentation may be scripted or dynamically generated. In a preferred dynamic embodiment, a figure is generated as an algorithmic model and the image rendered on a real time basis. Such real time rendering techniques are similar to those employed in video games. A three dimensional model or surface texture of a personalized or customized subject is then applied to

an otherwise generic or nonspecific model of a figure. Together, the generic or nonspecific model and the three dimensional model or surface texture of the personalized or customized subject are animated and rendered, preferably in photorealistic fashion, according to the desired dynamic sequence. See, U.S. Patent No. 4,521,014 (Sitrick) June 4, 1985, and U.S. Patent No. 5,553,864 (Sitrick) September 10, 1996, U.S. Patent No 5,724,497 (San, et al.) March 3, 1998, U.S. Patent No. 5,771,046 (Izawa, et al.) June 23, 1998, U.S. Patent No. 5,774,125 (Suzuoki, et al.) June 30, 1998, U.S. Patent No. 5,852,672 (Lu) December 22, 1998. U.S. Patent No. 5,870,101 (Murata, et al.) February 9, 1999, U.S. Patent No. 5,912,671 (Oka) June 15, 1999. U.S. Patent No. 5,933,148 (Oka, et al.) August 3, 1999, U.S. Patent No. 5,933,153 (Deering, et al.) August 3, 1999, U.S. Patent No. 5,945,997 (Zhao, et al.) August 31, 1999, U.S. Patent No. 5,947,823 (Nimura) September 7, 1999, U.S. Patent No. 5,963,668 (Horikawa, et al.) October 5, 1999, U.S. Patent No. 5,966,132 (Kakizawa, et al.) October 12, 1999, U.S. Patent No. 5,987,164 (Szeliski, et al.) November 16, 1999, U.S. Patent No. 6,009,190 (Szeliski, et al.) December 28, 1999, U.S. Patent No. 6,031,540 (Golin, et al.) February 29, 2000.

Replacement for the paragraph at page 11, starting at line 23 to page 12, line 4:

The animation of the subject typically consists of synchronizing the size and position of the subject's static head/face to the size and position of a pre-animated body. However, it is an object of the invention to enhance the visual aspects of this type of personalization by further animating the subject's head and face in order to synchronize the specific facial and mouth movements with a set of scripted expressions and mouth movements. This is accomplished by associating specific points on the subject's head and face with corresponding points on a "master" subject's head and face (i.e.. a generic model head and face), and then applying instructions for movement to those points that correspond with the movements of the "master" subject, resulting in a set of movements and expressions that correspond to the movements and expressions of the master subject. These movements and expressions represent appropriate interactions with, and reactions to, the visual and auditory context in which the subject appears (e.g. a Barney(r) video title, a sporting event video, an interactive game). This type of

personalization is not limited to the face, but may also include the subject's entire body, to which this process is similarly applied.

Replacement for the paragraph at page 12, beginning at line 6:

The foreground image need not be directly derived from the input image, and may be "tweened", i.e., formed as an interpolated image from two different images, "morphed", i.e., provided with a gradual transition between two or more extremes, or altered before combining or superimposing on the background image. See, 5,850,463, 5,057,940, 5,375,195, 5,668,595. Therefore, if the background image is the body of a lion, such as "The Lion King" (Simba), the face of a child may be captured and altered to include lion-like features. In other scenes, the background image sequence may be of "The Beauty and the Beast", where the child may be merged with one of the characters being altered to include relevant, consistent features. Likewise, color mapping may also be altered to suit the production, allowing the subject to change color or shade in synchronization with the background.

Replacement for the paragraph at page 19, beginning at line 20 to page 20, line 4:

A method and apparatus is also provided for remote access and image retrieval of an image or customized from a centralized database. Therefore, a plurality of data records are stored in a central database. A script or template is defined for defining the temporal, spatial, affine, and other characteristics of the data presentation. The script or template may define a plurality of objects, which may be synchronized, simultaneously presented, or sequentially presented.. The database may be composed of public or sets of private objects, such as photographs. Advantageously, a rights management system is provided to facilitate, for example, controlled commercial use of objects belonging to third parties, and for financially accounting for such use. A micropayment system may be provided for such purposes, as described in more detail below. A micropayment system differs from a regular payment system in that risk of non-payment or non-delivery is relatively increased in favor of reduced transaction cost and clearance latency. Of course, a regular payment scheme, such as credit card or electronic funds transfer may also be employed as desired. See, U.S. Patent No. 5,634,012 (Stefik, et al.), and

U.S. Patent No. 5,629,980 (Stefik, et al.) May 13, 1997, U.S. Patent No. 5,638,443 (Stefik, et al.) June 10, 1997, U.S. Patent No. 5,715,403 (Stefik) February 3, 1998. U.S. Patent No. 5,968,175 (Morishita, et al.) October 19, 1999.

Replacement for the paragraph at page 20, beginning at line 13:

In some instances, the user customization will not encompass personalization, but rather the selection of desired content. This content may be selected by semantic or content-based query techniques, or through other means. In some instances, the content selected by the user will be subject to rights management rules, which are preferably implemented by the content browser, telecommunications, and presentation systems. See, U.S. Patent No. 5,893,110 (Weber, et al.) April 6, 1999.

Replacement for the paragraph at page 20, beginning at line 20 to page 21, line 4:

An automatic scripting scheme (e.g., a video game presentations) is available, for example, from a Sony Playstation 2, Sega Dreamcast, Nintendo 64, or like consoles. These systems, with appropriate telecommunications or data retrieval systems, are able to employ the multimedia data or parameters in synthesizing a composite presentation. Preferably, the stored or transmitted data is presented in a native format (or compressed representation thereof) of the console or software system operating on the console, in order to minimize format translation latency and overhead. The objects may be downloaded in a batch mode prior to presentation, as needed, on a predictive basis, or in other known fashion. For example, the Sony Playstation 2 has megabytes of RAM bus memory, and optional 8 megabyte memory cartridges. The stored multimedia data may encompass, for example, tens, hundreds or more megabytes of stored data. Therefore, it would be generally unsuitable to download all of the data at once. On the other hand, even with high bandwidth telecommunications; real time delivery of data would likely be subject to impairments and artifacts. Therefore, a combination of predictive downloading of objects and caching of data, into main system memory, cartridge memory, or other storage, for example Sony i.Link (IEEE-1394) or Universal Serial Bus (USB) storage peripheral, might be preferable.

Replacement for the paragraph at page 23, beginning at line 5:

These same aspects may also be employed in open dynamic content sharing systems. Thus, users may define and add objects to a content presentation, available through a shared communications medium, for use by others. These may be customized not only with respect to image and audio properties, but also with respect to capability, personality, intelligence, and the like. See, U.S. Patent No. 6,031,549 (Hayes-Roth) February 29, 2000. These may also be avatars, controlled remotely by the originator, or autonomous objects. An avatar is a graphical personification of a computer or a process that's running on a computer. Often, a user will seek to provide a personal picture incorporated into his avatar. See, U.S. Patent No. 5,736,982 (Suzuki, et al.) April 7, 1998. U.S. Patent No. 5,793,382 (Yerazuni s. et al.) August 11, 1998, U.S. Patent No. 5,802,296 (Morse, et al.) September 1, 1998, U.S. Patent No. 5,880,731 (Liles, et al.) March 9, 1999, U.S. Patent No. 5,884,029 (Brush, II, et al.) March 16, 1999, U.S. Patent No. 5,907,328 (Brush II, et al.) May 25, 1999, U.S. Patent No. 5,909,218 (Naka, et al.) June 1, 1999, U.S. Patent No. 5,923,330 (Tarlton, et al.) July 13, 1999, U.S. Patent No. 5,926,179 (Matsuda, et al.) July 20, 1999, U.S. Patent No. 5,956,038 (Rekimoto) September 21, 1999; U.S. Patent No. 5,956,039 (Woods, et al.) September 21, 1999, U.S. Patent No. 5,963,217 (Grayson, et al.) October 5, 1999; U.S. Patent No. 5,966,130 (Benman, Jr.) October 12, 1999, U.S. Patent No. 5,977,968 (Le Blanc) November 2, 1999, U.S. Patent No. 5,982,372 (Brush, II, et al.) November 9, 1999, U.S. Patent No. 6,020,885 (Honda) February 1, 2000, U.S. Patent No. 6,023,270 (Brush, II, et al.) February 8, 2000.

Replacement for the paragraph at page 24, beginning at line 8:

Often, when objects are shared, a client-server architecture is preferred to a peer-to-peer architecture, since peer communications bandwidth is more variable, and has competing communications processes. On the other hand, servers may typically maintain sufficient bandwidth and quality of service for multiple competing tasks. Thus, even if a user downloads his own personalized objects, the objects belonging to others are typically not persistently downloaded unless specifically addressed to the user. Therefore, a communications link and on-

line service would typically be preferred in public interactive content schemes. See U.S. Patent No. 4,572,509 (Sitrick) February 25, 1986.

Replacement for the paragraph at page 25, beginning at line 7:

These scripts or templates may also define integration of objects, for example foreground and background audio and video, for customization of a presentation. The foreground and/or background objects may be stored locally or centrally. Advantageously, objects are buffered in a local cache, easing the transmission delay burden. See, U.S. Patent No. 5,880,737 (Griffin, et al.) March 9, 1999.

Replacement for the paragraph at page 25, beginning at line 13:

The present invention therefore provides customized templates for adding an external image to a stored video sequence, resulting in a different production for each separate customized input set. Likewise, audio information may be used to customize a stored audio sequence, in conjunction with the video sequence. On a more sophisticated level, the input image information need not be limited to a single image, such as a photograph, and may in fact be obtained from a number of still images, individual frames or frame sequences from a videotape, or specialized imaging for the purpose of creating a computer model of the subject. Thus, a number of facial orientations, expressions and transitions may be captured explicitly for the purpose of creating the production. In this case, a first digital representation includes complex information and a set of second representations includes not only the position and size of the portion of the subject, but the complex information as well. A set of third representations also includes an identifier of the desired complex information which is either included within the first image information or synthesized therefrom.

Replacement for the paragraph at page 25, beginning at line 27:

In an automated production system, and "engine" is provided that follows a set of rules or a model. Interactive input from the user may also be used to control the presentation, so with each production, the results will be at least slightly different.

Replacement for the paragraph at page 26, beginning at line 7:

A consumer can provide consumer specific data (digital images, characteristics, names, address, etc.) that is automatically merged with a selected content template of a convenient form of algorithmic/video/audio/printed data, then output via various output devices to assorted media including analog or digital video, digital video disk (DVD), digital online video (both linear and non-linear), interactive games, compact discs, digital audio, photo and/or text-personalized printed matter (books, posters, calendars, stickers, transferable substrates) that are each personalized by virtue of the inclusion of some combination of the data (images, audio, text) that has been provided by the consumer. The previewing features allow the customer to, in many cases, assemble and view/hear the personalized product online before ordering, thereby improving the quality of the purchasing experience. See, U.S. Patent No. 5,963,214 (Cok, et al.) October 5, 1999.

Replacement for the paragraph at page 27, beginning at line 18:

It is noted that, in producing complex personalized multimedia presentations for Internet delivery, advertiser subsidies may be useful. In theory, the advertiser may select aspects of the presentation from which to present commercial messages, and possibly to attract the user's attention. The user may then gain further information from the advertiser by selecting an explicit, implicit or hidden hyperlink to an advertiser-specific message (e.g., an advertiser web site) or modified presentation (e.g., including objects from the commercial sponsor). These commercial messages may also be presented during latencies due to serving a request and/or downloading of data, and -thus may be acceptably obtrusive without being particularly intrusive. In other instances, the commercial sponsor may fully integrate its message into the presentation. See, U.S. Patent No. 5,903,317 (Sharir. et at.) May 11, 1999.

Replacement for the paragraph at page 27, beginning at line 20 to page 28, line 6:

The present invention therefore encompasses the application of variable consumer data to a standardized template that includes images, audio, and text. The consumer may be a silhouette of ahead, or an entire human image, or any portion thereof. The image may, for example, be

assigned to a prescribed position based on predetermined coordinates (for each frame). This technique may be used, for example, for making themed presentations (e.g., a photo-themed Barney or Disney "story") and for interactive or linear photo albums or customized presentations. See, U.S. Patent No. 5,830,065 (Sitrick) November 3, 1998.

Replacement for the paragraph at page 29, beginning a line 19:

Advantageously, where objects employed commercially are available from publicly accessible sources, a micropayment scheme is implemented to allow commercial users to obtain rights and clearance for commercial use of the objects, without hindering non-commercial use thereof. Thus, in contrast to known micropayment schemes, the present invention may provide an "optional" compliance system. The following U.S. Patents define aspects of micropayment and on-line payment systems: 5,930,777; 5,857,023; 5,815,657; 5,793,868; 5,717,757; 5,666,416; 5,677,955; 5,839,119; 5,915,093; 5,937,394; 5,933,498; and 5,903,880. See also, Rivest and Shamir, "PayWord and MicroMint: Two Simple Micropayment Schemes" (May 7, 1996). Micro PAYMENT transfer Protocol (MPTP) Version 0.1 (22-Nov-95) et seq. Common Markup for web Micropayment Systems, Micropayment-Markup (09-Jun-99).

Replacement for the paragraph at page 31, beginning at line 22:

The associated information may be manually or automatically analyzed and complied with on an volitional or automatic basis. For example, for works available on or through the Internet, an Internet browser or "plug-in" may be provided which automatically reads and analyzes the associated information. After analysis, the browser may automatically trigger or allow the user to manually trigger an accounting transaction, wherein an identifier (e.g., credit account number, micropayment script, etc.) of the user seeking authorization or clearance is conveyed to an accounting system, which debits the user's account and credits the owners account appropriately. The accounting system need not perform symmetric transactions for the user and owner, and for example, may take a commission for use of the system, or apply a set of rules. Thus, for example, the user may pay a set amount for each use, while the accounting system may pay a variable amount for use, depending on the past history of use or transactions

with the owner, blanket agreements encompassing a variety of works, and minimum transaction fees or aggregate fees. The work may, in the case of the Internet, be any kind of digitally transmitted data file, and may also encompass sales, service or promotional accounting as well in the manner of a known micropayment transaction system. In other types of networks, the object may be any supported data type.

Replacement for the paragraph at page 33, beginning at line 1:

In contrast to prior systems, aspects of the present method rely on the desire of the user to appropriately compensate the content owner, as long as the transaction costs are appropriately scaled to the values of the rights. Prior systems have transaction costs for content licensing which are of the same or higher order than the value of the rights to the content owner, and/or are closed systems.

Replacement for the paragraph at page 34, beginning at line 16:

An important element of a preferred accounting system according to the present invention is an integration with the handling of physical goods, especially where allocated to a particular customer. Thus, as soon as a resource is committed to a particular customer, that resource must be tracked for proper handling and delivery. This resource commitment is preferably linked to an integrated with the accounting system, in order to avoid duplicative processing and to provide quality services. In this case, the accounting system serves both financial and production purposes. Obviously, a commercial enterprise needs to assure proper billing and cash flow. This assurance is accomplished by charging customers for product, and handling various acceptable forms of payment. Such payments may include cash (not preferred), checks, credit cards, money orders, electronic funds transfers, on-line monetary payment systems and the like. It is preferred to ensure that billing for goods or services is coordinated with production and shipping. Thus, the accounting system allows such coordination.

Replacement for the paragraph at page 35, beginning at line 1:

An automated framing system receiving on-line orders is also provided. In this case, the invention encompasses a factory which generally operates in a piece-on-demand fashion. although common styles may be inventoried. In this case, an order is defined interactively preferably on-line. For example, a user may wish a particular image to be processed, printed, matted and framed. The user must first define the image itself, including cropping and reproduction size. Various image reproduction options may also be present. Further, in the case of images subject to third party rights, a rights management and rights clearance scheme may be implemented. The user may then define a matting and cover glass (or plastic) option. The user may further define the frame and hanging options. At each step, a preferred embodiment of the invention provides feedback to the user of how the framed picture will look. This may be either by downloading a dynamic image update with each selection made by the user, or by providing updates of portions of the image as they are selected or updated. Image portions may be stored locally on a client system or transmitted from a server.

Replacement for the paragraph at page 38, beginning at line 1:

FIG. 10 is a flow chart of a computer program for implementing the media producing process in the apparatus of FIG. 3;

Replacement for the paragraph at page 38, beginning at line 7:

FIG. 11 is a graphical flow chart depicting the transformations according to the present invention;

Paragraph to be inserted on page 38, between the second and third paragraph:

FIG. 12 depicts images used in an image merger;

Replacement for the Paragraph at page 38, beginning at line 21:

FIG. 18 shows a label sheet having a plurality of different sized representations;

Replacement for the paragraph at page 38, beginning at line 23:

FIG. 19 shows a flow chart of a method in accordance with the present invention;

Paragraphs to be inserted on page 38, after the last paragraph:

FIG. 20 is a diagram of a communication network with components according to the present invention; and

FIG. 21 is a diagram of a database content according to the present invention.

Replacement for the paragraph at page 39, beginning at line 15:

FIG. 2 illustrates how the head of a human subject can be scanned by an electronic scanner to form stored images. In this case, a video camera 14 is arranged to view the head 16 of the human subject. This human subject stands on a platform 18 which is rotated about a vertical axis 20. In this way, a plurality of video frames are obtained, each containing the image of the head 16 in a different angular position. These video frames are stored on a video cassette recorder (VCR) 24. The stored video frames may be thereafter digitized, in an analog-to-digital converter, to provide digital representations of each frame.

Replacement for the paragraph at page 39, beginning at line 23:

Alternatively, the video frames containing the image of a human head can be obtained via a photograph of the human subject. For example, a Hewlett-Packard Scanjet (r), scanner may be employed to electronically scan a photograph and produce digital representations defining an image frame. Perspective views of the subject may be artificially generated from one or more views of the subject, by processing the electronically stored image based on a model of a human subject's head.

Replacement for the paragraph at page 47, beginning at line 14:

The setup of batch mode processing maybe quickly performed, allowing an operator to devote a limited amount of time to setting up a production and making any necessary decisions in a compressed amount of time. Thereafter, the production is automated, completing any batch

mode processing and proceeding to real-time recording or presentation of the production. This automation permits efficient utilization of manpower and high output. For sake of example, a single operator can manage 48 or more simultaneous recording sessions. The image scanning and cropping, as well as the audio customization, or verification thereof, can be performed quickly by skilled operators, typically separate from the copying technician. Thus, if 10 minutes of time are required to set up processing of a single presentation (e.g., image customization, audio customization, copying attention, quality control and handling), then the productivity of a facility will be about 45 presentations (e.g., videotapes) per worker per workday. The recording latency, for example 18 minutes, is divided among a large number of copying sessions, reducing the effective cost per session. Obviously, if the work burden is reduced, for example to 6 minutes per presentation, then the worker productivity will correspondingly increase, e.g., to about 15 presentations per worker per day.

Replacement for the paragraph at page 48, beginning at line 1:

In general, an audio sequence will accompany the images, which will be a fixed sequence or a prototype sequence or template altered based on particular added information, such as a name, identification, or other contextual information. The audio sequence corresponds to the image sequence.

Replacement for the paragraph at page 54, beginning at line 29 to page 55, line 2:

In accordance, for example, with the method described generally in 5,850,463, a facial image is processed to alter a facial expression thereof. Thus, the facial image may be fully animated to alter expression, apparent mood, mouth, cheek and eye movements. Further, the head may be rotated or otherwise viewed from any angle.

Replacement for the paragraph at page 55, beginning at line 13:

In the case of a wireframe model of the body part, on which the externally acquired image is mapped, the movements, which include translation, scaling and rotations, as well as lighting changes, and movement of portions of the model with respect to each other based on a

rearrangement of the nodes of the underlying model, may be choreographed with the other aspects of a presentation, for example music (e.g., lip syncing), gross body movements, and the like. See U.S. Patent No. 6,028,960 (Graf, et al.) February 22, 2000.

Replacement for the paragraph at page 55, beginning at line 22:

A video mosaicing system is described in U.S. Pat. No. 5,907,626 along with it cited references, including 5,280,530, 4,783,833, 5,262,856, 5,617,482, 5,649,032, and 5,657,402.

Replacement for the paragraph at page 62, beginning at line 26 to page 63, line 2:

A user, who may be a trained user or a consumer, selects one or more appropriate image models and a presentation template. An application server, which may reside in the same environment as the database server, applies the user data and image models to the presentation template. Further, based on the user data, image models and presentation template, an accompanying audio presentation is defined. The presentation is then output, for example through a web server or to a multimedia recording system, and the output presentation delivered to the user. Electronic delivery may occur in real time, in a multimedia stream, or as an advance transmission.

Replacement for the paragraph at page 67, beginning at line 5:

The user then defines a matting and cover glass (or plastic) option. The user further defines the frame and hanging options. At each step, a preferred embodiment of the invention provides feedback to the user of how the framed picture will look. Using, for example, Internet browser frame technology, only the changed portions need be updated, thereby reducing latency and reducing data transmission requirements. Image portions may be stored locally on a client system or transmitted from a server.

Replacement for the paragraph at page 68, beginning at line 6:

A video game system is provided having a solid state or disk program storage system and a telecommunications system. A user provides photographs of a subject to a service bureau, which processes the photographs, which may be emulsion or digital, to separate the foreground subject image from the background image. Further, the foreground image is analyzed to determine characteristic features, such as coloration, location of eyes, ears, nose, hair line, and any other significant visible features. These characteristic features are then stored in a file for that user in an on-line service, for example as an e-mail transmission, file transfer protocol transmission, hypertext document, binary object or other format.

CLAIMS (with indication of amended or new):

1. (Amended) A method for forming a media representation comprising:
providing a source media database;
selecting from the database at least one source media;
operating on the selected source media to define one or more presentation criteria selected from the group consisting of relative size, cropping, relative orientation, image presentation characteristics, dynamic presentation characteristics and data format based on presentation criteria;
transmitting the selected source media through a telecommunications network for display at a remote location;
wherein the presentation criteria are transmitted from the remote location through the telecommunications network, and
wherein the selected source media is transmitted based on an indication in said database.
2. (Amended) A system for presenting a sequence of images through an electronic display, comprising:
a database retrieval system storing a plurality of media presentations;
a communications network interface; and

a server, communicating with the communications network interface, and being linked to said database retrieval system, a user interface providing a schema for defining a sequence of images and presentation characteristics thereof, said server being responsive to said user-defined presentation criteria to transmit, through said communications network interface, the sequence of images in accordance with the presentation characteristics.

8. (Amended) A method for framing an image, comprising:

receiving, through a computer interface, an identification of an image;

receiving, through the computer interface, an identification of a frame type;

providing a printed copy of the image;

providing a physical frame corresponding to the identified frame type; and

inserting the printed copy of the image into the physical frame.

9. (Amended) A method for generating an electronic performance of a set of objects, comprising:

receiving through a computer user interface, an identification of an object selected from a set of available objects;

receiving, through the computer user interface, an identification of a manner of presentation of the selected object; and

transmitting, through a telecommunications network, a template generated based on the selected object and identified manner of presentation, generated by a remote computer defining the identified manner of display of the object; and

wherein the template defines a time-dependent presentation of the object.

10. (Amended) A method for defining a presentation, comprising:

receiving a plurality of image portions of a person representing a plurality of vantage points or a time motion sequence of portions of the person;

analyzing the plurality of image portions to define a model of the person;

providing a dynamic template for a presentation;

applying the model of the person to the template thereby defining a customized presentation; and

rendering the customized presentation to include an image likeness of the person, animated according to the model and the template.

11. (Amended) A method for customizing an audio recording, comprising:
receiving a voice sample of a person;
analyzing the voice sample to determine a vocal characteristic of the person or a semantic content of the voice sample to produce analysis data;
applying the analysis data to a template defining a set of vocal characteristics or semantic content, such that both the vocal characteristics or the semantic content are defined by both the voice sample and template, to define a customized audio message; and
outputting the customized audio message.

12. (Amended) A system for customizing a video game, comprising:
an input for receiving image information from a subject;
a writable memory for storing image information from the subject;
a read only memory for storing a video game program;
means for merging the image information with a synthetic model to produce a composite model; and
means for rendering the composite model as an image in a frame buffer.

13. (Amended) A method of producing a video game output image, comprising:
providing a video game with a generic model;
receiving image information from a subject;
merging the received image information with the generic model;
animating the merged image information and generic model; and
rendering the animated merged image information and generic model.

ABSTRACT

A method for generating a personalized presentation, comprising providing an Internet browser user interface for selecting an image and a surrounding context; receiving the selected image and surrounding context by an Internet web server; accounting for the user activity in a financial accounting system; and delivering the selected image and surrounding context to the user. The surrounding context may comprise a physical frame for a picture, with a printed version of the selected image framed therein. The accounting step may provide consideration to a rightsholder of the selected image, or provide for receipt of consideration from a commercial advertiser. A plurality of images may be selected, wherein the context defines a sequence of display of the plurality of images.

APPENDIX B
VERSION WITH MARKINGS TO SHOW CHANGES MADE
37 C.F.R. § 1.121(b)(iii) AND (c)(ii)

SPECIFICATION:

Paragraph at page 1, beginning at line 5:

The present application is a Continuation in part of U.S. Patent Application Ser. No. 09/300,987, filed April 28, 1999 (pending), which is a Continuation of U.S. Patent Application Ser. no. 08/840,486, filed April 21, 1997 (abandoned), which is a Continuation-in-part of U.S. Patent Application Ser. No. 08/489,564, filed June 12, 1995 (now U.S. Patent No. 5,623,587), which is a Continuation-in-part of U.S. Patent Application Ser. No. 08/138,531, filed October 15, 1993 (abandoned), each of which is expressly incorporated herein by reference [This application claims the benefit of priority from U.S. Provisional Patent Application No. 60/148,496, filed August 12, 1999 (pending)]. This application is based on and claims benefit of U.S. Provisional Patent Application Ser. No. 60/300,352 filed June 6, 2001, to which a claim of priority is hereby made.

Paragraph at page 2, beginning at line 17:

Since these systems, which are often designed as set top boxes, e.g., an electronic device which is connected to a television set and which provides a signal to the television set, are intended primarily for home entertainment, [and] application software is generally focused on this sphere. As the processing power and [resources] available resources increase, these devices are anticipated to assume other functions, including encompassing all set top box functionality, including digital video recording, computer integrated telephony, e-commerce, advertising, content browsing and Internet connectivity, in addition to the traditional gaming applications.

Paragraph at page 2, beginning at line 25 to page 3, line 4:

While these platforms are growing in capability, to date they do not provide a high level of customization or personalization. In order to maintain low cost, rewritable memory is minimized, and, for instance, is employed only to persistently store game parameters. Thus, it is difficult to personalize the system, since it is not intended to be a general purpose computing platform or to be easily upgradable, and does not provide user accessible persistent mass storage. This, of course, provide a substantial advantage in terms of system stability, since the manufacturer has almost complete control over the operating system and hardware. A further subtle [issues] issue is that programmers of entertainment titles must typically presume that a user has only the minimum hardware and software provided by the manufacturer, and therefore resist reliance on optional components. Thus, even if upgrades are available for the platform, developers tend not to rely on the use of hardware or software upgrades and focus instead on making the most of standard system equipment.

Paragraph at page 3, beginning at line 11:

Various systems and [method] methods have been proposed for producing pictures of human subjects with the head of one human being superimposed upon the body of another human being, animal, fish, etc. The superposition is normally accomplished “mechanically” by cutting around the outline of the head of a person shown in a first photograph and applying this head, in the proper position and orientation, to a body in a second paragraph. The resulting “mechanical” is thereafter photographed and/or scanned electronically to produce a third photograph or electronic image. Electronic implementation of this process is also known where the head is electronically traced and superimposed. This superposition process is time consuming and requires that the head and body in the first and second photographs, respectively, be adjusted in scale photographically[: that]. That is, that either the first or second photograph [be] is enlarged or reduced so that the head and body are of the same relative size, for example. This superposition process is only rarely used, and when used it is generally limited to situations where the cost of the process is small compared to the cost of the overall desired product.

Paragraph at page 3, beginning at line 23:

[This superposition process is only rarely used, and when used it is generally limited to situations where the cost of the process is small compared to the cost of the overall desired product.]

Paragraph at page 4, beginning at line 1:

It is known to personalize books or images, and book-on-demand publishing technologies are well established. See, U.S. Pat. Nos. 5,729,674, 4,731,743, 4,616,327, 3,982,744 and 3,892,427 [expressly incorporated herein by reference]. U.S. Patent No. 5,625,579 provides a system for customizing prerecorded video media. A so-called digital dressing room is known, see, U.S. Pat. No. 5,680,528 wherein garments are digitally superimposed on the body type and shape of a user, showing the user's face.

Paragraph at page 4, beginning at line 5:

[U.S. Patent No. 5,625,570, expressly incorporated herein by reference, provides a system for customizing prerecorded video media.]

Paragraph at page 4, beginning at line 8:

[A so-called digital dressing room is known, see, U.S. Pat. No. 5,680,528, expressly incorporated herein by reference, wherein garments are digitally superimposed on the body type and shape of a user, showing the user's face.]

Paragraph at page 4, beginning at line 12:

It is also known to replace a facial portion within an image with an extrinsic facial image. See, U.S. Pat. No. 5,687,306, and references cited therein. 3,398,664, 3,864,708, 4,037,249, 4,052,739, 4,130,834, 4,190, 856, 4,240,104, 4,258,385, 4,317,114, 4,357,624, 4,409,618, 4,439,783, 4,463,380, 4,506,289, 5,345,313, and 5,557,179[, each of which is expressly incorporated herein by reference]. A montage may also be created of facial image portions. See, 5,664,60[, expressly incorporated herein by reference].

Paragraph at page 5, beginning at line 1:

Known systems for accounting and payment for on-line transactions include credit and debit card transactions, direct deposit and wire transfer, Micro Payment Transfer Protocol (MPTP) [(www.w3.org)], Millicent (Compaq Computer Corp.), and a number of other systems. Typically, these systems seek to [be secure i.e.] provide secured transactions, to ensure to some degree of reliability against the risk of non-payment.

Paragraph at page 5, beginning at line 7:

A known system for presentation of multimedia presentations through Internet protocols is the Synchronized Multimedia Integration Language (SMIL) Boston Specification (W3C Working Draft 3-August 1999[: <http://www.w3.org/1999/08/WD-smil-boston-19990803>])).

Paragraph at page 5, beginning at line 12:

U.S. Pat. No. 6,029,046, to Kahn et al. relates to a system for recording set top box software, received over a broadband communications link, in local memory. Thus, it is well known to provide addressable set [to] top boxes for selective delivery of media content and accounting [for content] therefor.

Paragraph at page 5, beginning at line 15:

There exists a need in the art to provide a process for personalizing, using [complex] sophisticated and high quality data, video games and other content for use [by] with a set top box, through efficient means.

Paragraph at page 7, beginning at line 4:

According to one embodiment, the present invention provides a method and apparatus for computer-assisted image processing, as well as for the use of the resulting images. For example, an image or multimedia template is provided, which for example may include a full background presentation, which is merged upon presentation with foreground image and/or multimedia data. In a more sophisticated embodiment, the template comprises one or more models of the

presentation, in which parameters are provided. External data may then be provided to supplement, modify and/or control the models. The presentation may be generated on a server and the resulting media stream sent to a client, or the template and external data merged at the client machine and presented to a user or recorded for later viewing.

Paragraph at page 8, beginning at line 18:

In forming the customized image, a subject foreground image portion, such as a head, will be provided in electronic form to a computerized system. This subject foreground image portion will then be matched to another subject portion, which may be an external input, or selected from one or more stored other subject portions, such as human, animal, insect, alien, or "cyborg" bodies. The subject foreground image portion is then normalized in position and size, and optionally [angle] angled and 3-D orientation [projection] projected, and merged with the other subject body portion to [created] create an anatomically appropriate entity.

Paragraph at page 10, beginning at line 11:

The presentation may be scripted or dynamically generated. In a preferred dynamic embodiment, a figure is generated as an algorithmic model and the image rendered on a real time basis. Such real time rendering techniques are similar to those employed in video games. A three dimensional model or surface texture of a personalized or customized subject is then applied to an otherwise generic or nonspecific model of a figure. Together, the generic or nonspecific model and the three dimensional model or surface texture of the personalized or customized subject are animated and rendered, preferably in photorealistic fashion, according to the desired dynamic sequence. See, U.S. Patent No. 4,521,014 (Sitrick) June 4, 1985, and U.S. Patent No. 5,553,864 (Sitrick) September 10, 1996, U.S. Patent No 5,724,497 (San, et al.) March 3, 1998, U.S. Patent No. 5,771,046 (Izawa, et al.) June 23, 1998, U.S. Patent No. 5,774,125 (Suzuoki, et al.) June 30, 1998, U.S. Patent No. 5,852,672 (Lu) December 22, 1998. U.S. Patent No. 5,870,101 (Murata, et al.) February 9, 1999, U.S. Patent No. 5,912,671 (Oka) June 15, 1999. U.S. Patent No. 5,933,148 (Oka, et al.) August 3, 1999, U.S. Patent No. 5,933,153 (Deering, et al.) August 3, 1999, U.S. Patent No. 5,945,997 (Zhao, et al.) August 31, 1999, U.S. Patent No.

5,947,823 (Nimura) September 7, 1999, U.S. Patent No. 5,963,668 (Horikawa, et al.) October 5, 1999, U.S. Patent No. 5,966,132 (Kakizawa, et al.) October 12, 1999, U.S. Patent No. 5,987,164 (Szeliski, et al.) November 16, 1999, U.S. Patent No. 6,009,190 (Szeliski, et al.) December 28, 1999, U.S. Patent No. 6,031,540 (Golin, et al.) February 29, 2000 [expressly incorporated herein by reference].

Paragraph at page 11, starting at line 23 to page 12, line 4:

The animation of the subject typically consists of synchronizing the size and position of the subject's static head/face to the size and position of a pre-animated body. However, it is an object of the invention to enhance the visual aspects of this type of personalization by further animating the subject's head and face in order to synchronize the specific facial and mouth movements with a set of scripted expressions and mouth movements. This is accomplished by associating specific points on the [subjects] subject's head and face with corresponding points on a "master" subject's head and face (i.e., a generic model head and face), and then applying instructions for movement to those points that correspond with the movements of the "master" subject, resulting in a set of movements and expressions that correspond to the movements and expressions of the master subject. These movements and expressions represent appropriate interactions with, and reactions to, the visual and auditory context in which the subject appears (e.g. a Barney(r) video title, a sporting event video, an interactive game). This type of personalization is not limited to the face, but may also include the subject's entire body, to which this process is similarly applied.

Paragraph at page 12, beginning at line 6:

The foreground image need not be directly derived from the input image, and may be "tweened", i.e., formed as an interpolated image from two different images, "morphed", i.e., provided with a gradual transition between two or more extremes, or altered before combining or [superposing] superimposing on the background image. See, 5,850,463, 5,057,940, 5,375,195, 5,668,595 [5,850,463, expressly incorporated herein by reference]. Therefore, if the background

image is the body of a lion, such as "The Lion King" (Simba), the face of a child may be captured and altered to include lion-like features. In other scenes, the background image sequence may be of "The Beauty and the Beast", where the child may be merged with one of the characters being altered to include relevant, consistent features. Likewise, color mapping may also be altered to suit the production, allowing the subject to change color or shade in synchronization with the background.

Paragraph at page 19, beginning at line 20 to page 20, line 4:

A method and apparatus is also [providing] provided for remote access and image retrieval of an image or customized from a centralized database. Therefore, a plurality of data records are stored in a central database. A script or template is defined for defining the temporal, spatial, affine, and other characteristics of the data presentation. The script or template may define a plurality of objects, which may be synchronized, simultaneously presented, or sequentially presented.. The database may be composed of public or sets of private objects, such as photographs. Advantageously, a rights management system is provided to facilitate, for example, controlled commercial use of objects belonging to third parties, and for financially accounting for such use. A micropayment system may be provided for such purposes, as described in more detail below. A micropayment system differs from a regular payment system in that risk of. non-payment or non-delivery is relatively increased in favor of reduced transaction cost and clearance latency. Of course, a regular payment scheme, such as credit card or electronic funds transfer may also be employed as desired. See, U.S. Patent No. 5,634,012 (Stefik, et al.), and U.S. Patent No. 5,629,980 (Stefik, et al.) May 13, 1997, U.S. Patent No. 5,638,443 (Stefik, et al.) June 10, 1997, U.S. Patent No. 5,715,403 (Stefik) February 3, 1998. U.S. Patent No. 5,968,175 (Morishita, et al.) October 19, 1999[, expressly incorporated herein by reference].

Paragraph at page 20, beginning at line 13:

In some instances, the user customization will not encompass personalization, but rather the selection of desired content. This content may be selected by semantic or content-based query techniques, or through other means. In some instances, the content selected by the user will be subject to rights management rules, which are preferably implemented by the content browser, telecommunications, and presentation systems. See, U.S. Patent No. 5,893,110 (Weber, et al.) April 6, 1999[, expressly incorporated herein by reference].

Paragraph at page 20, beginning at line 20 to page 21, line 4:

An automatic scripting scheme (e.g., a video game presentations) is available, for example, from a Sony Playstation 2, Sega Dreamcast, Nintendo 64, or like consoles. These systems, with appropriate telecommunications or data retrieval systems, are able to employ the multimedia data or parameters in synthesizing a composite presentation. Preferably, the stored or transmitted data is presented in a native format (or compressed representation thereof) of the console or software system operating on the console, in order to minimize format translation latency and overhead. The objects may be downloaded in a batch mode prior to presentation, as needed, on a predictive basis, or in other known fashion. For example, the Sony Playstation 2 has megabytes of [Rambus] RAM bus memory, and optional 8 megabyte memory cartridges. The stored multimedia data may encompass, for example, tens, hundreds or more megabytes of stored data. Therefore, it would be generally unsuitable to download all of the data at once. On the other hand, even with high bandwidth telecommunications; real time delivery of data would likely be subject to impairments and artifacts. Therefore, a combination of predictive downloading of objects and caching of data, into main system memory, cartridge memory, or other storage, for example Sony i.Link (IEEE-1394) or [Univerasal] Universal Serial Bus (USB) storage peripheral, might be preferable.

Paragraph at page 23, beginning at line 5:

These same aspects may also be employed in open dynamic content sharing systems. Thus, users may define and add objects to a content presentation, available through a shared communications medium, for use by others. These may be customized not only with respect to

image and audio properties, but also with respect to capability, personality, intelligence, and the like. See, U.S. Patent No. 6,031,549 (Hayes-Roth) February 29, 2000[, expressly incorporated herein by reference]. These may also be avatars, controlled remotely by the originator, or autonomous objects. An avatar is a graphical personification of a computer or a process that's running on a computer. Often, a user will seek to provide a personal picture incorporated into his avatar. See, U.S. Patent No. 5,736,982 (Suzuki. et al.) April 7, 1998. U.S. Patent No. 5,793,382 (Yerazuni s. et al.) August 11, 1998, U.S. Patent No. 5,802,296 (Morse, et al.) September 1, 1998, U.S. Patent No. 5,880,731 (Liles, et al.) March 9, 1999, U.S. Patent No. 5,884,029 (Brush, II, et al.) March 16, 1999, U.S. Patent No. 5,907,328 (Brush II, et al.) May 25, 1999, U.S. Patent No. 5,909,218 (Naka, et al.) June 1, 1999, U.S. Patent No. 5,923,330 (Tarlton, et al.) July 13, 1999, U.S. Patent No. 5,926,179 (Matsuda. et al.) July 20, 1999, U.S. Patent No. 5,956,038 (Rekimoto) September 21, 1999; U.S. Patent No. 5,956,039 (Woods, et al.) September 21, 1999, U.S. Patent No. 5,963,217 (Grayson, et al.) October 5, 1999; U.S. Patent No. 5,966,130 (Benman, Jr.) October 12, 1999, U.S. Patent No. 5,977,968 (Le Blanc) November 2, 1999, U.S. Patent No. 5,982,372 (Brush, II, et al.) November 9, 1999, U.S. Patent No. 6,020,885 (Honda) February 1, 2000, U.S. Patent No. 6,023,270 (Brush, II, et al.) February 8, 2000[, expressly incorporated herein by reference].

Paragraph at page 24, beginning at line 8:

Often, when objects are shared, a client-server architecture is preferred to a peer-to-peer architecture, since peer communications bandwidth is more variable, and has competing communications processes. On the other hand, servers may typically maintain sufficient bandwidth and quality of service for multiple competing tasks. Thus, even if a user downloads his own personalized objects, the objects belonging to others are typically not persistently downloaded unless specifically addressed to the user. Therefore, a communications link and on-line service would typically be preferred in public interactive content schemes. See U.S. Patent No. 4,572,509 (Sitrick) February 25, 1986[, expressly incorporated herein by reference].

Paragraph at page 25, beginning at line 7:

These scripts or templates may also define integration of objects, for example foreground and background audio and video, for customization of a presentation. The foreground and/or background objects may be stored locally or centrally. Advantageously, objects are buffered in a local cache, easing the transmission delay burden. See, U.S. Patent No. 5,880,737 (Griffin, et al.) March 9, 1999[, expressly incorporated herein by reference].

Paragraph at page 25, beginning at line 13:

The present invention therefore provides customized templates for adding an external image to a stored video sequence, resulting in a different production for each separate customized input set. Likewise, audio information may be used to customize a stored audio sequence, in conjunction with the video sequence. On a more sophisticated level, the input image information need not be limited to a single image, such as a photograph, and may in fact be obtained from a number of still images, individual frames or frame sequences from a videotape, or specialized imaging for the purpose of creating a computer model of the subject. Thus, a number of facial orientations, expressions and transitions may be captured explicitly for the purpose of creating the production. In this case, [the] a first digital [representations then include] representation includes complex information and [the] a set of [third] second representations includes not only the position and size of the portion of the subject, but the complex information as well. [The] A set of [fourth] third representations also includes an identifier of the desired complex information which is either included within the first image information or synthesized therefrom.

Paragraph at page 25, beginning at line 27:

In an automated production system, and "engine" is provided [while] that follows a set of rules or a model. Interactive input from the user may also be used to control the presentation, so with each production, the results will be at least slightly different.

Paragraph at page 26, beginning at line 7:

A consumer can provide consumer specific data (digital images, characteristics, names, address, etc.) that is automatically merged with a selected content template of a convenient form

of algorithmic/video/audio/printed data, then output via various output devices to assorted media including analog or digital video, digital video disk (DVD), digital online video (both linear and non-linear), interactive games, compact discs, digital audio, photo and/or text-personalized printed matter (books, posters, calendars, stickers, transferable substrates) that are each personalized by virtue of the inclusion of some combination of the data (images, audio, text) that has been provided by the consumer. The previewing features allow the customer to, in many cases, assemble and view/hear the personalized product online before ordering, thereby improving the quality of the purchasing experience. See, U.S. Patent No. 5,963,214 (Cok, et al.) October 5, 1999[, expressly incorporated herein by reference].

Paragraph at page 27, beginning at line 18:

It is noted that, in producing complex personalized multimedia presentations for Internet delivery, advertiser subsidies may be useful. In theory, the advertiser may select aspects of the presentation from which to present commercial messages, and possibly to attract the user's attention. The user may then gain further information from the advertiser by selecting an explicit, implicit or hidden hyperlink to an advertiser-specific message (e.g., an advertiser web site) or modified presentation (e.g., including objects from the commercial sponsor). These commercial messages may also be presented during latencies due to serving a request and/or downloading of data, and -thus may be acceptably obtrusive without being particularly intrusive. In other instances, the commercial sponsor may fully integrate its message into the presentation. See, U.S. Patent No. 5,903,317 (Sharir. et at.) May 11, 1999[, expressly incorporated herein by reference].

Paragraph at page 27, beginning at line 20 to page 28, line 6:

The present invention therefore encompasses the application of variable consumer data to a standardized template that includes images, audio, and text. The consumer may be a silhouette of a head, or an entire human image, or any portion thereof. The image may, for example, be assigned to a prescribed position based on predetermined coordinates (for each frame). This technique may be used, for example, for making themed presentations (e.g., a photo-themed

Barney or Disney "story") and for interactive or linear photo albums or customized presentations. See, U.S. Patent No. 5,830,065 (Sitrick) November 3, 1998[, expressly incorporated herein by reference].

Paragraph at page 29, beginning a line 19:

Advantageously, where objects employed commercially are available from publicly accessible sources, a micropayment scheme is implemented to allow commercial users to obtain rights and clearance for commercial use of the objects, without hindering non-commercial use thereof. Thus, in contrast to known micropayment schemes, the present invention may provide an "optional" compliance system. The following U.S. Patents[, expressly incorporated herein by reference,] define aspects of micropayment and on-line payment systems: 5,930,777; 5,857,023; 5,815,657; 5,793,868; 5,717,757; 5,666,416; 5,677,955; 5,839,119; 5,915,093; 5,937,394; 5,933,498; and 5,903,880. See also, Rivest and Shamir, "PayWord and MicroMint: Two Simple Micropayment Schemes" (May 7, 1996)[, expressly incorporated herein by reference]. Micro PAYMENT transfer Protocol (MPTP) Version 0.1 (22-Nov-95) et seq. [<http://www.w3.org/pub/WWW/TR/WD-mptp>] Common Markup for web Micropayment Systems, [<http://www.w3.org/pub/TR/WD->] Micropayment-Markup (09-Jun-99).

Paragraph at page 31, beginning at line 22:

The associated information may be manually or automatically analyzed and complied with on an volitional or automatic basis. For example, for works available on or through the Internet, an Internet browser or "plug-in" may be provided which automatically reads and analyzes the associated information. After analysis, the browser may automatically trigger or allow the user to manually trigger an accounting transaction, wherein an identifier (e.g., credit account number, micropayment [scrip] script, etc.) of the user seeking authorization or clearance is conveyed to an accounting system, which debits the user's account and credits the owners account appropriately. The accounting system need not perform symmetric transactions for the user and owner, and for example, may take a commission for use of the system, or apply a set of rules. Thus, for example, the user may pay a set amount for each use, while the accounting

system may pay a variable amount for use, depending on the past history of use or transactions with the owner, blanket agreements encompassing a variety of works, and minimum transaction fees or aggregate fees. The work may, in the case of the Internet, be any kind of digitally transmitted data file, and may also encompass sales, service or promotional accounting as well in the manner of a known micropayment transaction system. In other types of networks, the object may be any supported data type.

Paragraph at page 33, beginning at line 1:

In contrast to prior systems, aspects of the present method rely on the desire of the user to appropriately compensate the content owner, as long as the transaction costs are appropriately [scales] scaled to the values of the rights. Prior systems have transaction costs for content licensing which are of the same [or order or] of higher order than the value of the rights to the content owner, and/or are closed systems.

Paragraph at page 34, beginning at line 16:

An important element of a preferred accounting system according to the present invention is an integration with the handling of physical goods, especially where allocated to a particular customer. Thus, as soon as a resource is committed to a particular customer, that resource must be tracked for proper handling and delivery. This resource commitment is preferably linked to an integrated with the accounting system, in order to avoid duplicative processing and to provide quality services. In this case, the accounting system serves both financial and production purposes. Obviously, a commercial enterprise needs to assure proper billing and cash flow. [Thus] This assurance is accomplished by charging customers for product, and handling various acceptable forms of payment. Such payments may include cash (not preferred), checks, credit cards, money orders, electronic funds transfers, on-line monetary payment systems and the like. It is preferred to ensure that billing for goods or services is coordinated with production and shipping. Thus, the accounting system allows such coordination.

Paragraph at page 35, beginning at line 1:

An automated framing system receiving on-line orders is also provided. In this case, the invention encompasses a factory which generally operates in a piece-on-demand fashion. although common styles may be inventoried. In this case, an order is defined interactively preferably on-line. For example, a user may wish a particular image to be processed, printed, matted and framed. The user must first define the image itself, including cropping and reproduction size. Various image reproduction options may also be present. Further, in the case of images subject to third party rights, a rights management and rights clearance scheme may be implemented. The user may then define a [mating] matting and cover glass (or plastic) option. The user may further define the frame and hanging options. At each step, a preferred embodiment of the invention provides feedback to the user of how the framed picture will look. This may be either by downloading a dynamic image update with each selection made by the user, or by providing updates of portions of the image as they are selected or updated. Image portions may be stored locally on a client system or transmitted from a server.

Paragraph at page 38, beginning at line 1:

FIG. 10 is a flow chart of a computer program for implementing the [electronic image] media producing process in the apparatus of FIG. 3;

Paragraph at page 38, beginning at line 4:

[FIG. 11 is a flow chart of a computer program for implementing the audio recording process in the apparatus of FIG. 9;]

Paragraph at page 38, beginning at line 7:

FIG. [12] 11 is a graphical flow chart depicting the transformations according to the present invention;

Paragraph at page 38, beginning at line 21:

FIG. 18 shows a label sheet having a plurality of different sized representations; [and]

Paragraph at page 38, beginning at line 23:

FIG. 19 shows a flow [chard] chart of a method in accordance with the present invention[.];

Paragraph at page 39, beginning at line 15:

FIG. 2 illustrates how the head of a human subject can be scanned by an electronic scanner to form stored images. In this case, a video camera 14 is arranged to view the head 16 of the human subject. This human subject stands on a platform 18 which is rotated about a vertical axis 20. In this way, a plurality of video flames are obtained, each containing the image of the head 16 in a different angular position. These video [flames] frames are stored on a video cassette recorder (VCR) 24. The stored video [flames] frames may be thereafter digitized, in an analog-to-digital converter, to provide digital representations of each frame.

Paragraph at page 39, beginning at line 23:

Alternatively, the video frames containing the image of a human head can be obtained [flora] via a photograph of the human subject. For example, a Hewlett-Packard Scanjet (r), scanner may be employed to electronically scan a photograph and produce digital representations defining an image [flame] frame. Perspective views of the subject may be artificially generated from one or more views of the subject, by processing the electronically stored image based on a model of a human subject's head.

Paragraph at page 47, beginning at line 14:

The setup of batch mode processing maybe quickly performed, allowing an operator to devote a limited amount of time to setting up a production and making any necessary decisions in a compressed amount of time. Thereafter, the production is automated, completing any batch

mode processing and [preceding] proceeding to real-time recording or presentation of the production. This [allows] automation permits efficient utilization of manpower and high output. For sake of example, a single operator can manage 48 or more simultaneous recording sessions. The image scanning and cropping, as well as the audio customization, or verification thereof, can be performed quickly by skilled operators, typically separate from the copying technician. Thus, if 10 minutes of time are required to set up processing of a single presentation (e.g., image customization, audio customization, copying attention, quality control and handling), then the productivity of a facility will be about 45 presentations (e.g., videotapes) per worker per workday. The recording latency, for example 18 minutes, is divided among a large number of copying sessions, reducing the effective cost per session. Obviously, if the work burden is reduced, for example to 6 minutes per presentation, then the worker productivity will correspondingly increase, e.g., to about 15 presentations per worker per day.

Paragraph at page 48, beginning at line 1:

In general, an audio sequence will accompany the images, which will be a fixed sequence or a prototype sequence or template altered based on particular added information, such as a name, identification, or other contextual information. The audio sequence corresponds to the image sequence.

Paragraph at page 54, beginning at line 29 to page 55, line 2:

In accordance, for example, with the method described generally in 5,850,463[, expressly incorporated herein by reference], a facial image is processed to alter a facial expression thereof. Thus, the facial image may be fully animated to alter expression, apparent mood, mouth, cheek and eye movements. Further, the head may be rotated or otherwise viewed from any angle.

Paragraph at page 55, beginning at line 13:

In the case of a wireframe model of the body part, on which the externally acquired image is mapped, the movements, which include translation, scaling and rotations, as well as lighting changes, and movement of portions of the model with respect to each other based on a

rearrangement of the nodes of the underlying model, may be choreographed with the other aspects of a presentation, for example music (e.g., lip syncing), gross body movements, and the like. See U.S. Patent No. 6,028,960 (Graf, et al.) February 22, 2000[, expressly incorporated herein by reference].

Paragraph at page 55, beginning at line 22:

A video mosaicing system is described in U.S. Pat. No. 5,907,626[, expressly incorporated herein by reference] along with it cited references, including 5,280,530, 4,783,833, 5,262,856, 5,617,482, 5,649,032, and 5,657,402.

Paragraph at page 62, beginning at line 26 to page 63, line 2:

A user, who may be a [skilled] trained user or a consumer, selects one or more appropriate image models and a presentation template. An application server, which may reside in the same environment as the database server, applies the user data and image models to the presentation template. Further, based on the user data, image models and presentation template, an accompanying audio presentation is defined. The presentation is then output, for example through a web server or to a multimedia recording system, and the output presentation delivered to the user. Electronic delivery may occur in real time, in a multimedia stream, or as an advance transmission.

Paragraph at page 67, beginning at line 5:

The user then defines a [mating] matting and cover glass (or plastic) option. The user further defines the frame and hanging options. At each step, a preferred embodiment of the invention provides feedback to the user of how the framed picture will look. Using, for example, Internet browser frame technology, only the changed portions need be updated, thereby reducing latency and reducing data transmission requirements. Image portions may be stored locally on a client system or transmitted from a server.

Paragraph at page 68, beginning at line 6:

A video game system is provided having a solid state or disk program storage system and a telecommunications system. A user provides photographs of a subject to a service bureau, which processes the photographs, which may be emulsion or digital, to separate the foreground subject image from the background image. Further, the foreground image is analyzed to determine characteristic features, such as coloration, location of eyes, ears, nose, hair line, and any other significant visible features. These characteristic features are then stored in a file for that user in an on-line service, for example as an e-mail transmission, file transfer protocol transmission, hypertext document, binary object or [the] other format.

Attached are marked up page number(s):

CLAIMS:

1. (Amended) A method for forming [an electronic] a media representation [of an image] comprising[the steps of]:

- [(a)] providing a [set of] source [images stored in a] media database;
- [(b)] accessing] selecting from the database [to define] at least one source [image] media [from the database based on selection criteria];

[(c) modifying] operating on the [defined] selected source [image] media to define [a] one or more presentation criteria selected from the group consisting of relative size, cropping, relative orientation, image presentation characteristics, dynamic presentation characteristics and data format based on presentation criteria;

[(d)] transmitting the [modified] selected source [image] media through a telecommunications network for display at a remote location;

wherein the [selection criteria and] presentation criteria are transmitted [by a user] from the remote location through the telecommunications network, and

wherein [each] the selected source [image within the set of source images] media is [accessible to the user and wherein the database stores other sets of images which are inaccessible to the user] transmitted based on an indication in said database.

2. (Amended) A system for presenting a sequence of images through an electronic display, comprising:

a database retrieval system storing a plurality of [images] media presentations;

a communications network interface; and

a server, communicating with the communications network interface, and being linked to said database retrieval system, [generating a representation of] a user interface[, said user interface] providing a schema for defining a sequence of images and presentation characteristics thereof, said server being responsive to said user-defined presentation criteria to transmit, through said communications network interface, the sequence of images in accordance with the presentation characteristics.

8. (Amended) A method for framing an image, comprising [the steps of]:

[(a) providing a computer user interface;]

[(b)] receiving, through [the] a computer interface, an identification of an image;

[(c)] receiving, through the computer interface, an identification of a frame type;

[(d)] providing a printed copy of the image;

- [(e)] providing a physical frame corresponding to the identified frame type; and
- [(f)] inserting the printed copy of the image into the physical frame.

9. (Amended) A method for generating an electronic performance of a set of [object] objects, comprising [the steps of]:

- [(a)] providing a computer interface;
 - [(b)] receiving through [the] a computer user interface, an identification of [a plurality of objects] an object selected from a set of available objects;
 - [(c)] receiving, through the computer user interface, an identification of a manner of presentation of the [plurality of] selected [objects] object; and
 - [(d)] transmitting, through a telecommunications network, a template generated based on the selected [objects] object and identified manner of presentation, generated by a remote computer defining the identified manner of display of the [objects] object; and
- wherein the template defines a time-dependent presentation of [at least one] the object [and wherein the template is accessible through a uniform resource locator].

10. (Amended) A method for defining a presentation, comprising [the steps of]:

- [(a)] receiving a plurality of [images] image portions of a person representing a plurality of vantage points or a time motion sequence of portions of the person;
- [(b)] analyzing the plurality of [images] image portions to define a model of the person;
- [(c)] providing a dynamic template for a presentation;
- [(d)] applying the model of the person to the template[,] thereby defining a customized presentation; and
- [(e)] rendering the customized presentation to include an image likeness of the person, animated according to the model and the template.

11. (Amended) A method for customizing an audio recording, comprising [the steps of]:

- [(a)] receiving a voice sample of a person;

[(b)] analyzing the voice sample to determine [either the] a vocal [characteristics] characteristic of the person or [the] a semantic content of the voice sample to produce analysis data;

[(c)] applying the analysis data to a template defining [either] a set of vocal characteristics or semantic content, such that both the vocal characteristics [and] or the semantic content are defined by both the voice sample and template, to define a customized audio message; and

[(d)] outputting the customized audio message.

12. (Amended) A system for customizing a video game, comprising:

[(a)] an input for receiving image information from a [natural] subject;

[(b)] a writable memory for storing image information from the [natural] subject;

[(c)] a read only memory for storing a video game program;

[(c)] means for merging the image information with a synthetic model to produce a composite model; and

[(d)] means for rendering the composite model as an image in a frame buffer.

13. (Amended) A method of producing a video game output image, comprising [the steps of]:

[(a)] providing a video game with a generic model;

[(b)] receiving image information from a [natural] subject;

[(c)] merging the received image information with the generic model;

[(d)] animating the merged image information and generic model; and

[(e)] rendering the animated merged image information and generic model.